

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 13**

XPO LOGISTICS FREIGHT, INC.,

Respondent,

- and -

INTERNATIONAL BROTHERHOOD
OF TEAMSTERS LOCAL UNION 179,

Charging Party.

Case Nos. 13-CA-195933
13-CA-197878
13-CA-206417
13-CA-207394
13-CA-215626
13-CA-216686
13-CA-217663
13-CA-223218
13-CA-223511

MOTION TO CHANGE THE HEARING DATE

Respondent XPO Logistics Freight, Inc. by and through its counsel, Seyfarth Shaw LLP, hereby moves to change the hearing date currently scheduled for February 4, 2019 to February 11, 2019. In support of its Motion, the Respondent states as follows:

1. The hearing in the above-captioned case is currently scheduled for February 4, 2019.
2. Brian M. Stolzenbach, Counsel for the Respondent is not available due to pre-existing business and personal commitments. More specifically, counsel for the Respondent has an arbitration scheduled for January 29, 2019 and a vacation from January 31, 2019 to the evening of February 4, 2019.
3. Prior to the issuance of the Order Consolidating Cases, Consolidated Complaint, and Notice of Hearing ("Complaint") and the Amended Order Consolidating Cases, Consolidated Complaint and Notice of Hearing ("Amended Complaint"), Counsel for Respondent was informed by the Region that the Region

was going to issue the Complaint with a hearing date of February 4, 2019. Counsel for the Respondent immediately informed the Region that he had an arbitration hearing scheduled for January 29, 2019 and would be on vacation from January 31, 2019 to the night of February 4, 2019. The hearing date had already been selected and thus, both the Complaint and Amended Complaint maintained February 4, 2019 as the date for the hearing.

4. The Union does not oppose this Motion.

5. It is Respondent's position that the one-week extension of a hearing scheduled for more than 3 months away will not prejudice any party to the instant case. Respondent and the Union are meeting for bargaining purposes and the parties have also discussed and continue to discuss potential resolutions to these charges. Given the parties' interactions, no prejudice can result from this one-week extension.

WHEREFORE, Respondent respectfully requests that this Motion be granted, and that the hearing in the above-referenced case, which is presently scheduled for February 4, 2019, be changed to February 11, 2019.

DATED: October 30, 2018

Respectfully submitted,

XPO LOGISTICS FREIGHT, INC.

By: 

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Counsel for Respondent

CERTIFICATE OF SERVICE

I, Karla E. Sanchez, an attorney, do hereby certify that I have caused a true and correct copy of the foregoing MOTION TO CHANGE THE HEARING DATE served on the Regional Director via electronic filing, and on all parties of record via email on this 30th day of October 2018:

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